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BY HAND

MEMO ENDORSED

Hon. William H. Pauley III
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 2210
New York, New York 10007

December 4, 2007

Application Granted.
SO ORDERED:

W.H. Pauley
WILLIAM H. PAULEY III U.S.D.J.

12/10/07

Re: S.L. and A.L., on behalf of A.L. v. New York City Dept. of Education
07 Civ. 8786 (WHP)

Dear Judge Pauley:

I am an Assistant Corporation Counsel in the Office of the Corporation Counsel Michael A. Cardozo. I write on behalf of defendant Department of Education ("DOE") to respectfully request a 30 day extension of time for the DOE to respond to the complaint in the above captioned matter, from December 5, 2007 until January 4, 2008. This is the second request for an extension of time in this matter. Plaintiffs consent to this request.

The sole issue presented in this action is plaintiffs' request for attorney's fees, which plaintiffs allege they are entitled to on the grounds that they substantially prevailed at an administrative hearing relating to the educational placement of their child, A.L. As set forth in defendant's first request for an extension, the DOE has a process for obtaining fees in this context, which plaintiff has chosen not to utilize. Rather, plaintiffs have instead opted to seek relief from this Court in the first instance.

In an effort to avoid protracted litigation, and to conserve judicial resources, on October 31, 2007, defendant requested that plaintiff provide a settlement demand, and send the underlying billing records that support such demand. To date, plaintiffs have not yet provided such information. Rather, by email dated November 30, 2007, plaintiffs indicated that they are currently compiling billing records and that they will forward those records to the defendant as soon as possible. The DOE is hopeful that plaintiff will in fact provide such materials promptly. An extension of time will enable the DOE to review those records and explore the possibility of settlement.

Thank you for your consideration of this request for an extension of time to respond to the complaint until January 4, 2008.

Respectfully,



Abigail Goldenberg (AG 4378)
Assistant Corporation Counsel

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